

Appl. No. 10/644,111
Amdt. Dated July 7, 2006
Reply to Office Action dated June 21, 2006

REMARKS

In the Office Action Summary, the U.S. Patent Examiner has indicated that Claim Nos. 1 – 8, 21 – 24, and 26 – 34 are pending in the application. Claim Nos. 1 – 8 have been allowed and Claim Nos. 21 – 24 and 26 – 34 have been finally rejected for the reasons set forth on Page Nos. 3 – 5 of the Office Action. Notably, from an inspection of the U.S. Patent Examiner's reasoning, RF telemetry is considered to be inherently magnetic induction for purposes of rejecting the subject matter set forth in Claim Nos. 21 – 26 and 28. In view of the Examiner's position, Applicant presents herewith a new claim set, namely Claim Nos. 35 – 39, which define certain sound sensing assemblages comprising radio frequency transmitting and receiving means (in lieu of magnetic induction transmitting and receiving means) in combination with other substantially similar elements as set forth in Claim Nos. 1 – 8. It is believed that the new claim set is patentably distinct from Claim Nos. 1 – 8, yet provides applicant with additional claim protections available to him as afforded under the teachings set forth in the patent application and as finally settled throughout the File History of this application.

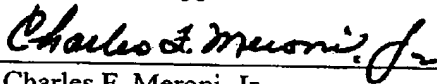
If, after a review of this Amendment, issues remain which may be resolved by a telephone interview, the U.S. Patent Examiner is cordially invited to call the Applicants' undersigned attorney. If attempts to reach the undersigned attorney are not successful, please be advised that Christopher J. Scott, Registration No. 48,647, may also be contacted with regard to this matter. Mr. Scott has been in regular communication with the undersigned regarding the Office Action and this Amendment. Further, Mr. Scott is listed under our Firm's Customer Number with the United States Patent and Trademark

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Office, namely, Customer Number 30114, and thus may be deemed a proper
representative of Applicants.

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Respectfully submitted,
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